



## City of Marietta Meeting Summary

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

### CITY COUNCIL

**William B. Dunaway, Mayor**  
**Annette Paige Lewis, Ward 1**  
**Griffin "Grif" L. Chalfant, Jr., Ward 2**  
**Holly Marie Walquist, Ward 3**  
**Irvan A. "Van" Pearlberg, Ward 4**  
**Rev. Anthony C. Coleman, Ward 5**  
**James W. King, Ward 6**  
**Philip M. Goldstein, Ward 7**

---

**Wednesday, March 11, 2009**

**7:00 PM**

**Council Chamber**

---

- 20090199      **Distinguished Service Award - James A. (Micky) Blackwell**  
Distinguished Service Award presented to James A. (Micky) Blackwell for his dedication and service on the Marietta Redevelopment Corporation.  
*Presented*
- 20090174      **Sexual Assault Awareness Month**  
Proclamation presented to Ms. Holly Comer, CEO and Executive Director for YWCA of NW Georgia, declaring April 2009 as Sexual Assault Month.  
*Tabled*
- 20090200      **Regular Meeting - February 11, 2009**  
Review and approval of the February 11, 2009 regular meeting minutes.  
*Approved*
- 20090201      **Special Meeting - February 25, 2009**  
Review and approval of the February 25, 2009 special meeting minutes.  
*Approved*
- 20090003      **Z2009-01 James W. Friedewald, St. Joseph Catholic Church, 589 Campbell Hill St., 555 Sugar Hill Dr., 558 St. Joseph Way, 95 Lacy St., 570 Nancy St., 574 Nancy St. and 543 Sugar Hill Drive**  
[Enter title here.]  
*Approved as Stipulated*  
*Motion to approve the rezoning and Special Land Use Permit request by St. Joseph Catholic Church for property located at 589 Campbell Hill Street, 555 Sugar Hill Drive, 558 St. Joseph Way, 95 Lacy Street, 570 Nancy Street, 574 Nancy Street and 543 Sugar Hill Drive from R-4 (Single Family Residential 4 units/acre) and OI (Office Institutional) to R-4 (Single Family Residential 4 units/acre), with stipulations and variances.*  
  
*The plat signed by the applicant and dated March 11, 2009 shall be incorporated as part of the zoning, along with following stipulations:*

- 1) Any exterior property changes that include the addition of occupiable space must be submitted back to the Planning Commission and City Council for site plan review which would include any buffer requirements.
- 2) The Church will install a fence and place shrubs as per the attached plat. The fence will be the same as the fence that surrounds the school playground. A controlled non-passenger vehicle gate may be installed so as to allow access from the Church property to the house for maintenance purposes.
- 3) After two (2) years the fence shall be extended along Sugar Hill to the south property line of the house.
- 4) For two (2) years the Church will be able to access the Sugar Hill Drive house by using the two driveways for the purpose of handicap visitors and delivery of supplies. Otherwise access to the house will be from the Church property. There will be no parking in the street allowed for people visiting the Sugar Hill House. There will be no access to the Church property through the house.

*The following variances are granted:*

- 1) Variance to allow a fence exceeding 4 feet in height and chain link in composition along St. Joseph Way, Nancy Street, and Lacy Street.
- 2) Variance to reduce the required 75 foot setback to 15 feet for property located at 543 Sugar Hill Drive.
- 3) Variance to reduce required parking for a place of assembly and an elementary school from 252 to 211.
- 4) Variance to allow more than 12 parking spaces in a row without a planter island for existing paved areas only.
- 5) Variance to allow continued use of the curb cuts on Sugar Hill Drive and St. Joseph Way, both residential streets.
- 6) Variance to allow use of an unpaved parking lot for a period of two (2) years.

20090100

**Z2009-03 John Hesmer 341 Lawrence Street**

Z2009-03 [REZONING] JOHN R. HESMER request rezoning for property located in Land Lot 1216, 16th District, Parcel 26, 2nd Section, Marietta, Cobb County, Georgia and being known as 341 Lawrence Street from R-4 (Single Family Residential 4 units/acre) to OIT (Office Institution Transitional). Ward 5.

***Approved***

20081281

**CA2009-01 Proposal to Amend the Comprehensive Development Code**

CA2009-01[CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta relating to Division 714, paragraph 714.04(F) [General Advertising and Off-Premise Signs] and Division 724.02 [Definitions] of the Zoning Ordinance.

***Approved as Amended***

20090175

**HCV Administrative Plan**

Approval of a Resolution approving the attached Addendum to the City of Marietta's HCV Administrative Plan.

***Discussed***

20090153      **Marietta Fire Donation**

Ordinance appropriating \$2000 from Red Train, Inc. for fire safety programs.

***Approved***

20090180      **City of Marietta Investment Policies**

Motion to approve changing the City investment policy to allow investing in CDARS.

***Approved***

20090192      **Transfer of funds for drafting Historic Guidelines**

Motion to authorize and direct that an amount not to exceed Twenty Thousand Dollars (\$20,000) be transferred from the currently existing funds of the Historic Preservation Commission to the Downtown Marietta Development Authority for the benefit of the Historic Board of Review for the sole purpose of drafting the historic guidelines for the downtown Marietta area.

***Approved as Amended***

*As disclosed in the annual disclosure filed pursuant to the City of Marietta's Ethics Ordinance, Councilman Goldstein owns properties directly or indirectly through various entities as well as family members that are within the Marietta Historic District. This item is proposed funding for guidelines for the entire district.*

*Motion to authorize and direct that an amount not to exceed Twenty Thousand Dollars (\$20,000) be transferred from the currently existing funds of the Historic Preservation Commission to the Downtown Marietta Development Authority for the benefit of the Historic Board of Review for the sole purpose of drafting the historic guidelines for the downtown Marietta area, and further that the condition (requirement of a poll and consent of the 60% of the property owners) for obtaining the funds for the Design Guidelines for potential Historic Districts by the Historic Preservation Commission for the proposed districts as set forth in the budget is also removed.*

20090240      **Termination of Contract**

Motion to terminate and cancel contract between the City of Marietta and Georgia State University.

***No Action Taken***

20090091      **Noise ordinance**

Approval to amend Sections 10-06-080 and 10-06-030 of the Noise Ordinance.

***Approved***

20081440      **Kennesaw to Chattahoochee Multiuse Trail**

Motion to approve the following route for a portion of Kennesaw Mountain to Chattahoochee Trail:

Beginning at the end of an existing trail segment at the intersection of Tower Road and Roselane Street;  
thence crossing Roselane Street at an existing 2-way stop;  
thence southward along the eastern side of Roselane Street;  
thence crossing Roselane Street at a new all way stop at Radium Street;  
thence southward along the western side of Roselane Street;  
thence eastward along the southern side of North Sessions Street;  
thence crossing North Sessions Street at a new all way stop at Saint Joseph's way;  
thence eastward along the northern side of North Sessions Street  
thence crossing North Sessions Street at an existing all way stop at Campbell Hill Street;  
thence southward along the western side of Campbell Hill Street;  
thence eastward along the southern side of Brumby Street;  
thence southward along the property line common to 111 North Marietta Parkway, 297 Church Street, and 289 Church Street;  
thence eastward along the property line common to 289 Church Street and 281 Church Street;  
thence southward along the western side of Church Street;  
thence westward along the northern side of North Marietta Parkway along the previously approved route.

***Approved***

20090167

**Partial right-of-way acquisitions**

Motion authorizing partial right of way acquisitions and easements of the following properties:

1017 Roswell Street & 9 S. Cobb Parkway from Raymond O. Boyd in exchange for \$488,773, for the purpose of constructing the Roswell Street Improvements project from Victory Drive to Cobb Parkway.

1574 Lower Roswell Road & 1590 Roswell Road from William E. Elder, Jr. and Louise Elder Crapps in exchange for \$20,697, for the purpose of extending a turn lane along Lower Roswell Road to Roswell Road.

1294 & 1300 Roswell St from Donald G. McDougall and Sandra Walls in exchange for \$19,500, for the purpose of constructing sidewalks on Roswell Road

225 & 237 Roswell Street from Lori T. and Robert Donovan in exchange for \$4,700, for the purpose of constructing Roswell Street Streetscapes

20 N. Fairground Street donated by Smart Investments, LLC for the purpose of the Roswell Street Improvements project between Olive Street and Merritt Street.

***Approved***

20090205      **City/BLW Consolidated Pension Plan**

Ordinance revising City Code Section 4-12 regarding the Consolidated Pension Plan as recommended by the City/BLW Pension Board.

*Discussed*

20090224      **Amendment to rezoning stipulations for Lee Jaraysi 555 Commerce Avenue**

Motion to amend stipulations to Z2009-02 (REZONING) LEE JARAYSI -555 Commerce Avenue amending Section 5.1 to allow for a maximum of 45 days from the date of the amendment to remove the existing siding and amending Stipulation 1 in the adopting motion, and Section 3.8 to allow approval to modify the site plan allowing for the entry area on the left side of the building to be added provided it does not intrude into the building setback lines and otherwise conforms to the City's codes and ordinances.

*Approved*

20090218      **Property Acquisitions and Easements**

Motion authorizing partial right of way acquisitions and easements of the following properties:

324 N. Fairground Street from Joyce R. & W.E. Padgett, III in exchange for \$640 for the purpose of roadway improvements along Fairground Street (N. Marietta Parkway to Allgood Road).

324 S. Fairground Street from Frank S. Holcombe in exchange for \$5,730 for the purpose of roadway improvements along Fairground Street (N. Fairground Street to Allgood Road).

264 Powers Ferry Road from United Food and Gas in exchange for \$460 for the purpose of roadway improvements along Powers Ferry Road at S. Marietta Parkway.

319 Manget Street from MSJ Properties, LLC, as a donation for the purpose of roadway improvements along Manget Street @ Lakewood Drive.

334 Lakewood Drive from Lloyd M. Nelson as a donation for the purpose of roadway improvements along Manget Street @ Lakewood Drive.

319 Stokes Avenue from Billy & Shirley Ramsey as a donation, for the purpose of roadway improvements along Manget Street @ Lakewood Drive.

313 Manget Street and 454 Haley Street from Donnis W. King as a donation for the purpose of road improvements along Manget St at Lakewood Drive

*Approved*

20090246      **Property Acquisitions and Easements**

Temporary Easement at 191 Roswell Street from Bluegrass Realty in exchange for \$4000 for the purpose of road improvements.

***Approved***

20090204      **BLW Actions of March 9, 2009**

Review and approval of the March 9, 2009 actions and minutes of the Marietta Board of Lights and Water Works (BLW).

***Approved***

*Council member Goldstein opposed to BLW agenda item 20090115, Motion for approval of changes to Marietta Board of Lights and Water Policy and Procedure No. 2.2, Deposits.*